



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

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November 21, 2007

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS/PROPONENT
(07229)

FROM:


KATHERINE MONTGOMERY
Elections Analyst

SUBJECT: **INITIATIVE #1292**

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

PROPERTY OWNERSHIP.
CONSTITUTIONAL AMENDMENT.

The proponent of the above-named measure is:

Richard Byrd
154 Tenth Street
San Francisco, CA 94103

#1292

PROPERTY OWNERSHIP.
CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 694,354
California Constitution, Article II, Section 8(b)
2. Official Summary Date: Wednesday, 11/21/07
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elec. Code § 336)..... Wednesday, 11/21/07
 - b. Last day Proponent can circulate and file with the county.
All sections are to be filed at the same time within each
county. (Elec. Codes §§ 336, 9030(a))..... Monday, 04/21/08*
 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (Elec. Code § 9030(b))..... Thursday, 05/01/08

(If the Proponent files the petition with the county on a date prior to
04/21/08, the county has eight working days from the filing of the petition
to determine the total number of signatures affixed to the petition and to
transmit the total to the Secretary of State) (Elec. Code § 9030(b)).
 - d. Secretary of State determines whether the total number
of signatures filed with all county clerks/registrars of
voters meets the minimum number of required signatures
and notifies the counties Saturday, 05/10/08**
 - e. Last day for county to determine total number of qualified
voters who signed the petition, and to transmit certificate
with a blank copy of the petition to the Secretary of State
(Elec. Code § 9030(d)(e)) Monday, 06/23/08

* Date adjusted for official deadline, which falls on a weekend (Elec. Code § 15).

**Date varies based on the date of county receipt.

INITIATIVE #1292

Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 05/10/08, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elec. Code § 9030(d)(e)).

- f. If the signature count is more than 763,790 or less than 659,637 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 659,637 and 763,790 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (Elec. Code §§ 9030(f)(g), 9031(a))..... Thursday, 07/03/08*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (Elec. Code § 9031(b)(c))..... Friday, 08/15/08

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 07/03/08, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elec. Code § 9031(b)(c).)

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (Elec. Code §§ 9031(d), 9033) Tuesday, 08/19/08*

*Date varies based on the date of county receipt.

IMPORTANT POINTS

- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825, 177 Cal.Rptr. 621; 63 Ops.Cal.Atty.Gen. 37 (1980).
- Please refer to Elections Code sections 100, 101, 104, 9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

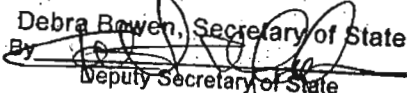
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November 21, 2007

Debra Bowen
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, CA 95814

FILED
In the office of the Secretary of State
of the State of California

NOV 21 2007

Debra Bowen, Secretary of State
By 
Deputy Secretary of State

RE: Title and Summary for Initiative No. 07-0060
TITLE: PROPERTY OWNERSHIP. CONSTITUTIONAL AMENDMENT.

Dear Ms. Bowen:

Pursuant to the provisions in sections 336 and 9004 of the Elections Code, enclosed please find a copy of the Title and Summary issued for Initiative Number 07-0060, along with the text of the proposed measure.

Please feel free to contact me with any questions.

Sincerely,


KRYSTAL PARIS
Initiative Coordinator

For EDMUND G. BROWN JR.
Attorney General

Enclosures

Proponent(s) public information:

Richard Byrd
154 Tenth Street
San Francisco, CA 94103

Date: November 21, 2007
Initiative No. 07-0060

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

PROPERTY OWNERSHIP. CONSTITUTIONAL AMENDMENT. Amends California

Constitution to declare that governmental entities within California, including cities and counties, may not make any law or ordinance that prevents any citizen from owning or legally acquiring property, or that limits the amount of property one may acquire, grow, produce, or own. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: The fiscal effect of this measure cannot be determined, as it would depend largely on how the measure's terms are interpreted by the courts and implemented by government. (Initiative 07-0060.)

September 29, 2007

Mrs. Patricia Galvan

Initiative Coordinator

Office of the Attorney General

1300 I Street

Sacramento, CA 95814

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INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

In Re: Property Protection Act

Dear Ms. Galvan:

Pursuant to California Elections Code, Section 9002, I respectfully request the Attorney General to prepare a title and summary of the chief purpose and points of the Property Protection Act.

Please find enclosed required by the California Elections Code, Section 18650, check in the amount of TWO HUNDRED DOLLARS (\$200.00) for filing fee of above referenced act and the proponent declaration as required by California Elections Code, Section Code 9068.

Please direct any correspondence and questions directly to the address below. My telephone number is (415) 374-4676. Thank you for your attention to this matter.

Sincerely,



Richard Byrd

•richard byrd 154 tenth street san francisco, ca 94103•

Initiative Measure To Be Submitted Directly To The Voters

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

[Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the Petition whereon signatures are to appear.]

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered qualified voters of California, residents of _____ County, hereby propose amendment relating to property, and Petition the Secretary of State to submit the same to voters of California for their adoption or rejection at the next succeeding primary or general election, or at any special statewide election held prior to that primary or general election, or as otherwise provided by law. The proposed Constitutional Amendment, Property Protection Act:

**CALIFORNIA CONSTITUTION
ARTICLE 1 DECLARATION OF RIGHTS**

The State of California, counties, cities and any governmental entities within the State shall not make any law or ordinance that prevents any citizen from owning or acquiring legally, property nor shall there be a limit to the amount of property acquired, grown or produced or owned.

There shall be no law(s) or ordinance language enacted that abridge this mandate enacted by the citizens of the State of California .